

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Scott Sales, on March 6, 2015 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Scott Sales, Chair (R)
Sen. Jennifer Fielder, Vice Chair (R)
Sen. Jedediah Hinkle (R)
Sen. Douglas (Doug) Kary (R)
Sen. Cliff Larsen (D)
Sen. Mary McNally (D)
Sen. Diane Sands (D)
Sen. Nels Swandal (R)

Members Excused: Sen. Robyn Driscoll (D)
Sen. Kris Hansen (R)
Sen. Mary Sheehy Moe (D)
Sen. Chas Vincent (R)

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 298, 2/24/2015; HB 345, 2/24/2015; HB 466, 2/24/2015

Executive Action: HB 466-Be Concurred In, HB 298-Be Concurred In, HB 28- Be Concurred In, HB 203-Be Concurred In, HB 345-Tied (Bill remains in committee, HB 111-Tabled, HB 272-Motion Made, Withdrawn, further discussion needed, HB 204-Motion Made, Withdrawn, further discussion needed

HEARING ON HB 298**Opening Statement by Sponsor:**

00:00:56 Rep. Bill Harris (R), HD 29, opened the hearing on HB 298, Generally revise concealed weapons laws.

[EXHIBIT\(jus47a01\)](#)

Proponents' Testimony:

00:04:45 Rep. Frank Garner, HD 7, Kalispell
00:08:52 Gary Marbut, Montana Shooting Sports Association (MSSA)
00:12:55 Doug Nulle, self, retired attorney, Clancy
00:14:30 Tim Ravndal, self, Montana Oath Keepers; Montana Tenth Amendment, Townsend

Opponents' Testimony:

00:17:38 Nancy dePastino, Moms Demanding Action for Gun Sense in America
00:20:11 Chris Hoffman, sheriff, Ravalli County Sheriffs Department (RCSD); Montana Sheriffs and Peace Officers Association (MSPOA)
00:23:39 Jaimie McConnell, Moms Demanding Action for Gun Sense in America
00:26:07 Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)
00:28:55 Ken Varns, self, Helena

[EXHIBIT\(jus47a02\)](#)

00:32:38 David Nielsen, Montana League of Cities and Towns (MLCT)

Informational Testimony:

None

Questions from Committee Members and Responses:

00:33:53 Sen. Kary
00:34:39 Mr. Hoffman, RCSD
00:37:11 Sen. Sands
00:38:00 Mr. Hoffman
00:41:18 Sen. Larsen
00:42:18 Rep. Harris
00:51:04 Sen. Hinkle
00:51:30 Rep. Harris
00:52:27 Sen. Fielder
00:52:45 Mr. Hoffman
00:53:11 Mr. Smith, MSPOA

Closing by Sponsor:

00:56:07 Rep. Harris

HEARING ON HB 466

Opening Statement by Sponsor:

00:57:51 Rep. Mike Miller (R), HD 80, opened the hearing on HB 466, Authorize state to be reimbursed for extradition costs as part of restitution.

Proponents' Testimony:

00:59:03 Kiki Moses, self
01:00:58 Tim Ravndal, self, Townsend

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

01:01:52 Sen. Kary
01:02:18 Rep. Miller

Closing by Sponsor:

01:02:31 Rep. Miller

HEARING ON HB 345

Opening Statement by Sponsor:

01:03:07 Rep. Daniel Zolnikov (R), HD 45, opened the hearing on HB 345, Revise privacy laws related to event data recorders and vehicles.

Proponents' Testimony:

01:08:57 Gary Marbut, self
01:11:06 John MacDonald, Alliance of Auto Manufacturers (AAM)
01:14:05 Mona Jamison, General Motors
01:16:34 Tim Ravndal, self, Townsend

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

01:17:24 Sen. Swandal
01:17:33 Rep. Zolnikov
01:18:16 Sen. Kary
01:18:50 Mr. MacDonald, AAM
01:20:04 Sen. Sands
01:20:23 Rep. Zolnikov

Closing by Sponsor:

01:23:16 Rep. Zolnikov

01:25:31 Recess
01:35:38 Reconvene

(Sen. Vincent arrived in hearing room)

EXECUTIVE ACTION ON HB 466

01:35:57 **Motion/Vote:** Sen. Swandal moved that **HB 466 BE CONCURRED IN.** Motion carried unanimously by voice vote. Sen. Driscoll, Sen. Hansen and Sen. Moe voted by proxy. Sen. Kary will carry the bill.

EXECUTIVE ACTION ON HB 298

01:37:17 **Motion:** Sen. Vincent moved that **HB 298 BE CONCURRED IN.**

Discussion:

01:37:29 Sen. Sands
01:37:58 Sen. Larsen

01:38:22 **Vote:** Motion carried 7-5 by roll call vote with Sen. Driscoll, Sen. Larsen, Sen. McNally, Sen. Moe and Sen. Sands voting no. Sen. Driscoll, Sen. Hansen and Sen. Moe voted by proxy. Sen. Vincent will carry the bill.

EXECUTIVE ACTION ON HB 345

01:39:11 **Motion:** Sen. Swandal moved that **HB 345 BE CONCURRED IN.**

Discussion:

01:39:20 Sen. McNally
01:39:50 Chairman Sales

01:40:23 **Substitute Motion/Vote:** Sen. Vincent made a substitute motion that **HB 345 BE TABLED.** Substitute Motion failed 6-6 by roll call vote with Sen. Driscoll, Sen. Hansen, Sen. Larsen, Sen. Moe, Sen. Sales and Sen. Vincent voting aye. Sen. Driscoll, Sen. Hansen and Sen. Moe voted by proxy.

EXECUTIVE ACTION ON HB 272

01:41:43 **Motion:** Sen. Swandal moved that **HB 272 BE CONCURRED IN.**

01:42:43 Without objection, Sen. Swandal withdrew his motion.

EXECUTIVE ACTION ON HB 28

01:43:17 **Motion:** Sen. Fielder moved that **HB 28 BE CONCURRED IN.**

Discussion:

01:43:28 Sen. McNally
01:43:47 Chairman Sales
01:44:05 Sen. Sands
01:44:32 Sen. Fielder
01:45:01 Sen. Sands
01:45:19 Chairman Sales
01:45:39 Sen. Larsen

01:46:02 **Vote:** Motion carried 9-3 by roll call vote with Sen. Hinkle, Sen. Sales and Sen. Vincent voting no. Sen. Driscoll, Sen. Hansen and Sen. Moe voted by proxy. Sen. Sands will carry the bill.

EXECUTIVE ACTION ON HB 111

01:47:06 **Motion:** Sen. Hinkle moved that **HB 111 BE CONCURRED IN.**

Discussion:

01:47:25 Sen. Sands
01:48:02 Sen. Larsen

01:48:14 **Vote:** Motion failed 2-10 by roll call vote with Sen. Fielder and Sen. Sales voting aye. Sen. Driscoll, Sen. Hansen and Sen. Moe voted by proxy. Without objection, Chairman Sales reversed the vote and tabled the bill.

EXECUTIVE ACTION ON HB 203

01:49:16 **Motion:** Sen. Fielder moved that **HB 203 BE CONCURRED IN.**

Discussion:

01:49:28 Sen. Sands
01:50:08 Sen. Fielder
01:51:26 Sen. Larsen
01:51:55 Sen. Fielder

01:52:45 **Vote:** Motion carried 7-5 by roll call vote with Sen. Driscoll, Sen. Larsen, Sen. McNally, Sen. Moe and Sen. Sands voting no. Sen. Driscoll, Sen. Hansen and Sen. Moe voted by proxy. Sen. Fielder will carry the bill.

EXECUTIVE ACTION ON HB 204

01:53:42 **Motion:** Sen. Swandal moved that **HB 204 BE CONCURRED IN.**

Discussion:

01:53:56 Sen. McNally

01:54:11 Without objection, Sen. Swandal withdrew his motion.

ADJOURNMENT

Adjournment: 10:55 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus47aad.pdf](#))